

REMARKS

Claims 1-16 are now present in this application.

The specification has been amended, and claims 10-16 have been presented. Reconsideration of the application, as amended, is respectfully requested.

Objection to the Specification

The specification has been objected to because of an informality in the abstract. Because this informality has now been addressed, it is respectfully requested that this objection now be reconsidered and withdrawn.

35 USC 112 Rejection

Claim 8 stands rejected under 35 USC 112, second paragraph. This rejection is respectfully traversed.

The Examiner is correct in that claim 8 is directed to a kit. Therefore, the at least one elevator rope is a part of the shaft equipment but not the kit. However, this claim does recite that the hoisting device, which is part of the kit, is separate from and non-connected to the at least one elevator rope. This non-connection arrangement is a structural limitation. It is respectfully submitted that the claims particularly point out and distinctly claim the subject matter of the instant invention.

Reconsideration and withdrawal of this rejection are respectfully requested.

35 USC 102(b) and 103 Rejection

Claims 1, 2, 4, 5, and 7-9 stand rejected under 35 USC 102(b) as being anticipated by JP 5-124778 A. This rejection is respectfully traversed.

Claims 1, 2, 4, 5, 7 and 8 stand rejected under 35 USC 102(b) as being anticipated by CHAPELAIN et al., U.S. Patent 5,000,292. This rejection is respectfully traversed.

Claims 3, 6 and 9 stand rejected under 35 USC 103 as being unpatentable over CHAPELAIN et al. This rejection is respectfully traversed.

Claims 3 and 6 stand rejected under 35 USC 103 as being unpatentable over JP '778. This rejection is respectfully traversed.

The present invention provides for a kit for installing shaft equipment for an elevator. This shaft equipment can include at least one guide rail. The kit has a suspension element which is temporarily attached to the ceiling of an elevator shaft, or upper part of the wall of the elevator shaft. Temporarily in this context of the invention means that the function of the suspension element is only temporary, since the suspension element is used for installation purposes only. It should be noted that this does not

mean that it is removed after the installation work is complete, so long as it does not hinder the operation of the elevator.

The kit of the present invention includes suspension means for carrying or supporting shaft equipment. This suspension means is connectable to a hoisting device. A roof of the elevator car is usable for installation of the shaft equipment with this kit. The hoisting device will move the elevator car during installation of the guide rail. Therefore, the operators can easily work with the guide rails in order to install them in the shaft.

The Japanese document '778 merely discloses a method for installing a hydraulic elevator. A hydraulic elevator is different from an elevator using cables. Thus, it is questioned whether one of ordinary skill in the art would look to such an elevator when using the kit of the present invention. However, it is agreed that independent claim 1 does not expressly recite an hydraulic or cable elevator. Nonetheless, independent claim 1 does recite that the roof of the elevator car is usable for installation of the shaft equipment. Such an elevator car is not used in the JP '778 document. Rather, a separate working cage is used during installation. This cage is then removed, and then a normal elevator car is installed. Thus, this arrangement is more complicated than that of the present invention. The present invention enables the elevator car to be used with the present kit. Overall, elevator installation can be simplified.

In dependent claim 8, it is recited that at least one elevator rope is used. This arrangement is different from the hydraulic elevator disclosed in the JP '778 document. The Examiner incorrectly refers to element 15 of the Japanese document as being an elevator rope. This element 15 is a temporary control cable which connects with wench control 14 and an operating platform 10. This is not an elevator rope.

With the present invention, the hoisting device is separate from and non-connected to the at least one elevator rope. Therefore, a kit can be used to install the guide rail, whereafter the elevator ropes can be installed. Damage to the ropes can be avoided and they can be out of the way during installation.

Dependent claim 10 also recites that the rope of the elevator car is the working platform and that this is the only working platform within the shaft during the installation. Again, this is different from the JP '778 document.

The JP '778 document is noted by the Examiner as disclosing a working cage. The Examiner has broadly construed a working cage to be an elevator car. It is respectfully submitted that those skilled in the art would not make such a broad statement. Clearly, an elevator car is different from a working cage. Nonetheless, as noted above, dependent claim 10, for example, brings out that the only working platform is the elevator car. The working platform

used in the JP '778 document cannot be fairly construed as an elevator car. This is simply contrary to the meaning of the word.

Turning to the patent to CHAPELAIN et al., a method of mounting a lift is disclosed. This patent discloses using the roof of an elevator car. For example, in column 3, beginning at line 24, the cables are strung by operators when the car is at the bottom of the shaft. A short distance is covered so that the cables will not become mingled. A beam 9 with telescopic arm 21 is mounted just above the elevator car. This arrangement is seen in Fig. 3. The counterweight 7 and cabin 5 guide bars are fixed on the suspension tools on this beam. This beam is then raised from the brackets 27 as discussed in column 3, beginning at line 42. This raising is carried out using wench 17. The beam is raised up the shaft. As the beam is raised, the guides are fish-plated from the roof of the cabin, as discussed in column 3, line 50. Finally, the beam arrives at the top of the shaft, as shown in Fig. 4, where the arms 21 of the beam 9 are opened at a desired length on support 43 at the top of the shaft.

It is not the case with this CHAPELAIN et al. reference that the elevator is raised up the shaft by a hoist to enable installation. In other words, a suspension means which is temporarily attachable to a ceiling of an elevator shaft or an upper part of the wall of the elevator shaft, which suspension

means is connectable to a hoisting device which carries the elevator car, is not disclosed.

Dependent claim 11, for example, brings out that the hoisting rope extends from the hoisting device to the elevator car along the shaft. This is contrary to the arrangement of CHAPELAIN et al.. Short cables are used so as to not become mingled. A short distance is maintained between the support and the elevator car.

Dependent claim 12 of the present application recites that the hoisting device is adjacent the suspension means at a top of the elevator shaft. Dependent claim 13 goes on to recite that the elevator car is movable throughout the elevator shaft by the hoisting device which is at the top of the elevator shaft. Such extensive movement of the car is not obtained with the CHAPELAIN et al. reference. Rather, an inchworm effect is utilized wherein the elevator car only creeps up the shaft during installation. This is a totally different arrangement from the kit of the present invention.

Dependent claims 14-16 go on to recite the safety pedal feature which is found on the roof of the elevator car. The prior art utilized by the Examiner fails to show this arrangement.

The present kit provides a hoisting device which will enable the elevator car to move during installation of the guide rail. Thus, the elevator car can move up the shaft in order to provide a working platform for installation of the rails and other shaft

equipment. This is not anticipated nor suggested in the CHAPELAIN et al. reference. Hoisting and fish-plating of the rails is instead taught. It appears that the beam lifting cable 35 is simply for lifting the beam and not satisfactory for lifting the elevator. A design wherein equipment can be installed at the top of the shaft and then the elevator hoisted up in order to enable installation of the guide rail is not provided for in the CHAPELAIN et al. reference. Independent claim 1 specifically brings out that the suspension element is attachable to a ceiling of the elevator shaft or an upper part of a wall of the elevator shaft.

It is additionally noted that dependent claim 9 further brings out that the suspension element can include three separate attachments. These can be suspension loops 16, 17 and 19. By provision of this number of loops, the elevator, guide rails, counter-weight and overspeed governor can all be effectively installed. The prior art utilized by the Examiner fails to show such a feature.

It is respectfully submitted that independent claim 1, as well as all dependent claims, set forth a kit, which is neither suggested nor rendered obvious by the prior art utilized by the Examiner. Accordingly, reconsideration and withdrawal of the 35 USC 102(b) and 103 rejections are respectfully requested.

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

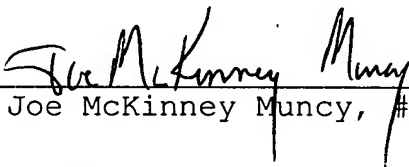
In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants respectfully petition for a three (3) month extension of time for filing a response in connection with the present application and the required fee of \$1,020.00 is attached herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Abstract of the Disclosure